

September 24, 2018

County of Mendocino
Department of Planning and Building Services
860 North Bush St.
Ukiah, CA 95482

Mendocino County
SEP 26 2018
Planning & Building Services

attn: Sam "Vandy" Vandewater

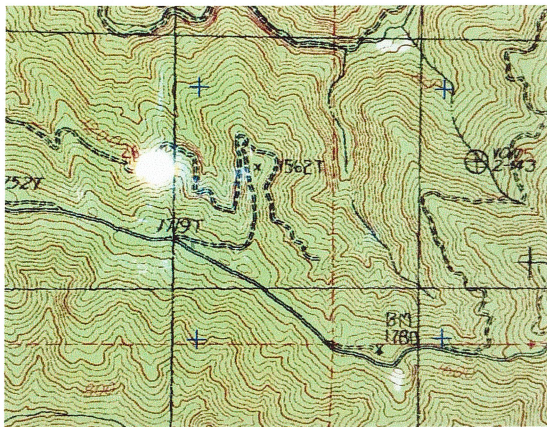
CASE #: V_2018-0007

Defay Variance request for reduced setback (APN: 133-220-12)

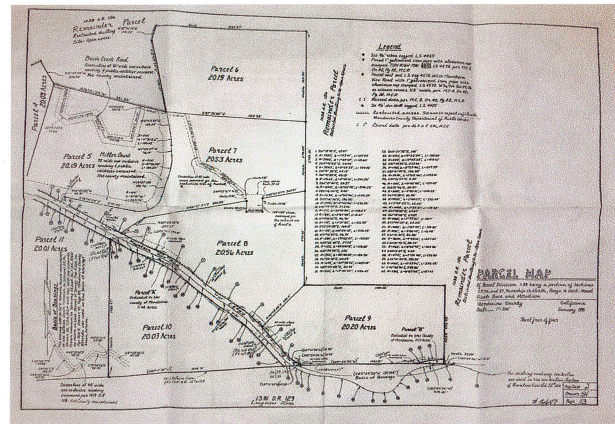
We have been neighbors of Charles and Peri Defay for 16 years and we strongly oppose Mendocino County granting the proposed variance request.

The current situation at the Defay property presents a significantly dangerous situation that impacts the public safety of all residing in the vicinity.

Regardless of the required setbacks at least of two of the existing structures on the parcel are perched precariously on the edge of unstable rock hillsides. These buildings and accompanying materials are perilously close to immediately sliding onto emergency access roads that the Mountain View Road community rely upon for Fire and use access.



USGS Topo map. Note access roads in center.



Parcel # 6 is Defay. Note Access roads.

The topographical map indicates the steepness of adjacent slopes. The plot map shows how the access roads correlate to the Defay property.

We feel that it is not a question of *if* these nonpermitted and uninspected dwellings slide down these steep slopes onto these essential roads, it is *when*. Note in these photographs that the buildings are inches from the crumbling bank. When the vegetation isn't present the underpinnings of Structure "A" are visible hanging out, unsupported, over the precipice.



Structure "A"

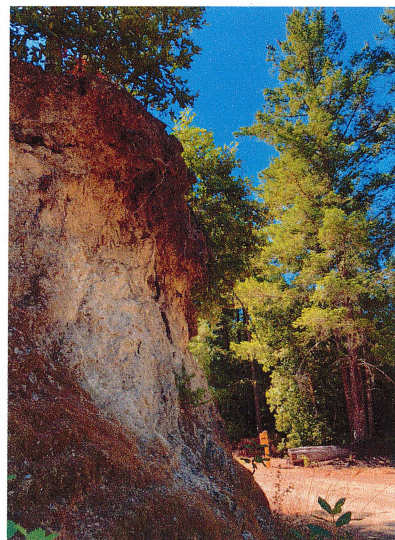


Structure "B"

The banks surrounding the area Defay has built upon are acutely unstable with much evidence of active displaced earth. Additionally, many of the banks are eroded, undermined, and have developed concave vertical slide areas. We have observed the deterioration to be unabating.



Beneath Structure "A"



Adjacent to Structure "B"
(Note access road to right.)

According to the Defays they have utilized pit privies from the date of ownership. Rick White has observed the privy being relocated to 4 different locations along this bank. One of our concerns is that this practice of perforating the ground and injecting toilet waste would additionally reduce the integrity of the soil.



This may be the “privy”.

Since it is believed no County inspections were done during construction we are concerned about electric and propane lines that could be displaced when these structures inevitably fail and the accompanying fire risk that would bring to this remote region.

The proposed setback reduction would allow the structures to remain in their currently unsafe location. This is unacceptable. To our knowledge the County has no history of previous inspections since the occupancy of this property 27 years ago. We're unaware of any inspections from Mendocino County Department of Building & Planning before 2017-18, when the owners sought a septic permit.

Our conclusion is that such a dwelling(s), hanging over an actively unstable bank, is certainly an unsafe habitation and is definitely a hazard for the paying guests the Defays are hosting through AirBNB.

We are requesting further, more in depth, analysis by the County to reassure us that the County is making a safe and considered exception to permitting law. There are many concerns that make granting this variance, much less an occupancy permit or for commercial use, an irresponsible decision by the Department of Building and Planning.

“Vandy”- Our neighbor Mary Heibel spoke with you on Friday 9/21/18 and we understand that you expressed your amazement that the Defays were able to build in that location. You also expressed your inclination to promote the approval of this variance. Vandy, Charles chose to build without permits and without the benefit of the expertise of building professionals. The result is that he is left with uninhabitable buildings that we doubt strongly you would have ever issued a permit to build had you been consulted. Their improvements do not show on the County Tax Assessment and they are paying \$280 per year in property taxes. (see accompanying) Those neighbors that have chosen to live in permitted homes and pay our share to support Mendocino County are outraged.

We will be attending the hearing scheduled for Friday, October 19, 2018, at 10:00 am in the conference room on Bush Street. We will bring signatures from additional neighbors. Please notify us if there are any changes to this date and time.

Sincerely,

Rick & Katherine White
38500 Mountain View Road
Manchester, CA 95459

relwhite@hotmail.com

707-498-3795

kwhite2new@gmail.com

916-996-7123

All photographs shot from access/easement roads.

COUNTY OF MENDOCINO

California

Secured Property Tax Information Page - Fiscal Year 2017-2018

Please note: The below search tool provides information for Secured Property Taxes for fiscal year 2017-2018 only. The amount displayed in the search tool does not include prior fiscal year Secured, Supplemental, or Unsecured tax bills.

For questions please contact the Tax Collector at 707-234-6875.

MENDOCINO COUNTY SECURED PROPERTY TAX SUMMARY

APN: 1332201200 — [Assessment Details](#)

Address Information:

19851 MILLER CT

Manchester, CA

Tax Rate Area: 103-005

Tax Rate: 1.056

2017-2018 SECURED TAX: ASSESSMENT NUMBER 46960

| Install | Tax | Penalty | Costs | Due | Delinquent After | Posted On | Status |
|------------|----------|---------|--------|--------|------------------|------------|-----------|
| 1st | \$139.41 | \$13.94 | -- | \$0.00 | 12-10-2017 | 03-12-2018 | Paid |
| 2nd | \$139.41 | \$0.00 | \$0.00 | \$0.00 | 04-10-2018 | 03-12-2018 | Paid Paid |
| Total Due: | | | | \$0.00 | | | |

[Search again](#)

Return To Tax Statement

Note: This utility is for reference only and the results are *NOT* guaranteed!

With the exception of Change in Ownership Penalties and Escaped Assessments, direct or special assessments are the responsibility of the district imposing the charge. The specific district should be contacted for questions regarding such charges. Districts with an * are per the Improvement Bond Act of 1915.

MENDOCINO COUNTY PROPERTY TAX SUMMARY

APN: 1332201200

Address Information: 19851 MILLER CT Manchester, CA

Tax Rate Area: 103005 | **Tax Rate:** 1.056

TAX ASSESSMENT

| Description | Values |
|---------------------------|------------|
| Land | \$2,968.00 |
| Improvements | \$0.00 |
| Personal Property | \$0.00 |
| Gross Assessment | \$2,968.00 |
| Less Home Owner Exemption | -\$0.00 |
| Less Misc. Exemption | -\$0.00 |
| Net Assessment | \$2,968.00 |